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APR 18 2007

REMARKSI. Introduction

In response to the Office Action dated January 22, 2007, claims 5, 10, 15 and 20 have been canceled, and claims 1, 6, 11 and 16 have been amended. Claims 1-4, 6-9, 11-14 and 16-19 remain in the application. Re-examination and re-consideration of the application, as amended, is requested.

II. Prior Art Rejections

In paragraphs (1)-(2), the Office Action rejected claims 1, 3-4, 6, 8-9, 11, 13-14, 16, and 18-19 under 35 U.S.C. § 102(e) as unpatentable over Ono, U.S. Patent No. 7,123,741 (Ono). In paragraphs (3)-(4), the Office Action rejected claims 2, 7, 12, and 17 under 35 U.S.C. §103(a) as being unpatentable over Ono in view of Reed et al., U.S. Patent No. 6,590,996 (Reed). In paragraph (5), the Office Action rejected claims 5, 10, 15, and 20 under 35 U.S.C. §103(a) as being unpatentable over Ono in view of Silverstein et al., U.S. Publication No. 2003/0077002 (Silverstein).

Applicants' attorney respectfully traverses these rejections in view of the amended claims. Applicants' attorney submits that the Applicant's invention, as recited in independent claims 1, 6 and 11, is patentable over the combination of references, because it contains limitations not taught by the combination of references. Specifically, Applicants' independent claims have been amended to include the limitations of dependent claims 5, 10, 15 and 20, and now recite that the digital data is re-scaled to a standard size before the Discrete Fourier Transforms is performed and the magnitude domain computed.

The Office Action, on the other hand, asserts that Silverstein teaches this limitation at paragraph [0025]. However, Silverstein describes image transmission for low bandwidth with a region of interest, not a watermarking system. Moreover, at the indicated locations, Silverstein merely discloses the following:

[0025] In general, the system and method of the present invention is a technique of transmitting an image adapted to a first display area size, such as a standard computer screen having a particular pixel-by-pixel resolution, to an apparatus having a smaller display area size by scaling the image in the spatial domain by means of coefficient cropping in the frequency domain. When the cropped coefficients are used to display an image within the second smaller display area, a scaled version of the image is displayed. In a specific embodiment, frequency domain coefficients are cropped such that a region of interest of the image is scaled down less than the remainder of the image when displayed in the second smaller display

area. Scaling in this manner provides the user with a readable region of interest and with the remainder of the image scaled down so as to facilitate easy image navigation by the user. Furthermore the system and method is a technique of transmitting image data to the apparatus in a bandwidth efficient manner such that only a required subset of the coefficient data is transmitted and combined with previously transmitted coefficient data when the region of interest is changed.

The above portions of Silverstein merely describes scaling by cropping frequency domain coefficients, in order to provide the user with a readable region of interest, while still facilitating easy image navigation. Silverstein does not teach scaling digital data prior to performing a Discrete Fourier Transform (DFT) on the scaled digital data, computing a magnitude domain of the Discrete Fourier Transform, and then either embedding a watermark into or extracting a watermark from selected frequency bands of the computed magnitude domain of the Discrete Fourier Transform.

Moreover, Silverstein is not properly combinable with Ono. Indeed, it would only be with hindsight by the Office Action that such a suggestion could be made. Certainly, there is nothing in Silverstein or Ono that would suggest combining an image transmission system as disclosed in Silverstein with a watermarking system as disclosed in Ono. Indeed, the Office Action arbitrarily combines the references without pointing to any reason why one skilled in the art would be motivated to make the proposed combination of references. Moreover, any such suggestion must be made by the references themselves, not by the Office Action, and no such motivation can be found in either Ono or Silverstein.

Consequently, the combination of Ono and Silverstein fail to disclose all the limitations of Applicants' independent claims. Thus, Applicants' attorney submits that independent claims 1, 6, 11 and 16 are allowable over references. Further, dependent claims 2-4, 7-9, 12-14 and 17-19 are submitted to be allowable over the references in the same manner, because they are dependent on independent claims 1, 6, 11 and 16, respectively, and thus contain all the limitations of the independent claims. Moreover, dependent claims 2-4, 7-9, 12-14 and 17-19 recite limitations not taught or suggested by the references.

III. Conclusion

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited.

Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicants' undersigned attorney.

Respectfully submitted,

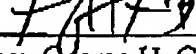
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